

Department of Justice

Mission

The Department of Justice is committed to protecting and promoting the rights and safety of all people in Nova Scotia through responsive programs, policies, and services that are accessible, and inclusive.

Mandate

The Department of Justice consists of approximately 1,700 employees (FTEs) and is responsible for the administration of justice and for promoting access to justice and the safety and security of Nova Scotians through justice-related programs, services and initiatives. To accomplish its mandate, the department provides services through six divisions (Public Safety and Security; Court Services; Maintenance Enforcement and Victim Services; Correctional Services; Legal Services; Policy & Information Management) as well as the Accessibility Directorate and the Restorative Initiatives Unit.

Vision

A justice system that fosters the safety, health, and well-being of all people in Nova Scotia.

Responsibilities

The Department of Justice is guided by principles of preventative and restorative justice in fulfilling its mandate. The department's efforts to promote safety, security, and access to justice for Nova Scotians span all areas of the Department and include programs and services that assist vulnerable people including Indigenous Nova Scotians, African-Nova Scotians, and Nova Scotians with disabilities. Addressing domestic violence is a key focus area of the department where preventative justice principles are applied and where the department is investing in specialty courts to promote the safety and security of Nova Scotians.

PUBLIC SAFETY AND SECURITY

Public Safety and Security has responsibility for public safety initiatives in the province, including oversight, governance and advice to police, private security services and firearms license holders, as well as enforcement of community safety processes and security intelligence management services. Divisional responsibilities include:

- administration of the *Police Act*, including acting in an advisory role to all police services, managing contracts with the RCMP and First Nations Policing, and strengthening policing initiatives through the development of standards, audits and inspections and governance training;
- Partnerships with the public safety community and federal/provincial/territorial partners to contribute to and facilitate initiatives to improve public safety;
- Liaising with public safety stakeholders and federal/provincial/territorial partners on crime prevention initiatives;
- Effective regulation and monitoring of the private security industry pursuant to the *Private Investigators and Private Guards Act*, including the licensing of businesses and individuals engaged in private security services;
- Administration of the licensing provisions of the federal *Firearms Act*, including licensing firearms owners/businesses, designation and inspection of firing ranges, and delivering firearms safety courses;
- Enforcement of the Safer Communities and Neighbourhoods Act, which aims to improve community safety by targeting and, if necessary, shutting down residential and commercial buildings and land that are regularly used for illegal activities such as: producing, selling or using illegal drugs, prostitution, illegal gaming, or the unlawful sale and consumption of alcohol;
- Administration of the Rewards for Major Unsolved Crimes program;
- Administration of the Security Intelligence Management Section through coordination of security and threat assessments on behalf of government;
- Administration of service agreements with a network of eight community justice agencies and one tribal organization which offers services for Indigenous people; and,
- Improve the cybersafety of Nova Scotian adults and youth.

COURT SERVICES

Court Services is responsible for the delivery of services and programs which facilitate public access to justice, including court administration and security, and the provision of administrative support to the judiciary in all levels of court in Nova Scotia:

- Court of Appeal
- Supreme Court (General Division)
- Supreme Court (Family Division)
- Provincial and Family Court

- Justice of the Peace Centre
- Small Claims Court
- Probate
- Bankruptcy

Court Services in the civil justice context include the administration of the civil weddings program by administrative justices of the peace, and service and execution of civil documents by Sheriff Services.

Court Services in the criminal justice context include restitution and fine collection, administration of programs associated with specialty courts such as Mental Health Court, Court Monitored Drug Treatment Court, and Domestic Violence Court, after-hours interim-release hearings, and the security and transport of people in custody by Sheriff Services.

Court Services in the family justice context include administration and management of support services and programs such as Administrative Recalculation of Child Support, Interjurisdictional Support Case Management and Support, the Supervised Access and Exchange Program, the Parent Information Program, Family Assessments, the Family Law Information Program which includes Family Law Information Centres Resolution Services and nsfamilylaw.ca.

Sheriff Services is responsible for court security, service and execution of civil documents, and transportation of people in custody.

Services are delivered throughout the province in full-service Justice Centres or stand-alone courthouses located in Halifax Regional Municipality, Bridgewater, Digby and Annapolis Royal, Yarmouth and Shelburne, Kentville and Windsor, Truro and Shubenacadie, Amherst, Pictou, Antigonish, Port Hawkesbury and Wagmatcook, and Sydney and Eskasoni.

MAINTENANCE ENFORCEMENT AND VICTIM SERVICES

This division has responsibility for providing support to victims of crime, families and children who need assistance with benefits owed to them through a maintenance support order and ensuring that there is improved access to these critical programs for vulnerable groups who need them:

Victim Services

With offices in eight communities, this program aims to reduce the harmful impact of crime on victims by:

- Providing direct services for victims through four core programs: the Provincial Victim Services Program, Criminal Injuries Counselling Program, Victim Impact Statement Program, and Child Victim/Witness Program;
- Promoting victims' rights and interests and advising government on issues relating to victims of crime; and
- Working with justice partners and the community to develop policies and programs that address the needs of crime victims.

Maintenance Enforcement Program

This program provides the following services for clients who have obtained court-ordered child and maintenance support orders:

- Enforces the provisions of court orders through a variety of actions provided for in the Maintenance Enforcement Act, including licenses suspensions, employment or other forms of garnishment, and court actions;
- Enrollment functions to register clients in the program;
- Receives, distributes and administers payments from Payors, Garnishee organizations and other payment sources to program recipients; and
- Administers and enforces inter-jurisdictional support orders for Payors and Recipients not living in Nova Scotia

CORRECTIONAL SERVICES

Correctional Services is responsible for contributing to public safety through effective community and custody-based case management and supervision of individuals incarcerated in provincial correctional facilities and serving community sentences.

The Correctional Services Division operates four (4) adult correctional facilities and one (1) youth centre. The key functions of correctional facilities are to provide safe and secure custody and control of individuals under Correctional Services supervision, through the use of Core Correctional Practices (CCP) and evidenced-based and culturally responsive programs that address an individual's criminogenic factors, risks and needs, and assist with successful community reintegration.

There are 22 Community Corrections offices in operation throughout the province. The functions of Community Corrections is to provide information to assist the court in the sentencing process(es); administer and supervise community-based sentences of the courts; provide or access evidenced-based and culturally responsive programs that address criminogenic factors to assist individuals with pro social behavior in the

community, thereby increasing public safety; and provide selected alternative measures (e.g., Restorative Justice, fine options) to assist victims, the community, and the criminal justice system by diverting eligible offences from the court process.

Correctional Services, Youth Integrated Services are provided to youth under community supervision in the Halifax, Valley, Cape Breton and Colchester/Pictou regions. These services include on-site education opportunities, mental health, addiction services and evidenced-based and culturally responsive programs.

LEGAL SERVICES

The Legal Services Division is the government's law firm, providing a full range of legal advice and services to support government operations and help government achieve its corporate priorities. With a staff of over 160 lawyers, paralegals, researchers and administrative professionals, the Division is one of the largest law offices in the Province and is responsive to its clients' needs. The Division's constant interaction with numerous public bodies affords it a unique perspective on government.

Operating within government, the Division adds value to the services and advice it provides because it understands the corporate environment in which government operates. The Division collaborates with its clients to deliver services that align with government's priorities.

The Division has extensive experience with legal issues that uniquely affect the Crown and offers a full range of commercial legal advice. The Division is highly skilled in matters of administrative law – the law that applies to the decisions and actions of those operating under statutory authority. The advice provided by the Division assists those responsible for the management and operation of government departments and agencies to understand the legal aspects of these roles and helps them to identify and manage risk. Services provided by the Division include assistance with the negotiation and drafting of agreements, commercial transactions, corporate governance, property transactions, the development of legislation and regulations to implement the public policy goals of government, support in employment and labour matters, and routine day to day advice.

The Division also represents government in most legal proceedings, except prosecutions. This includes formal litigation (both brought by and against) the Crown before all levels of courts in the Province, the Federal Courts and the Supreme Court of Canada. Typical cases brought before these courts include judicial review applications, statutory appeals, contractual disputes, constitutional issues, class actions, and child and adult protection proceedings and other claims made by or

against government. Beyond the courts, the Division represents government before administrative bodies and tribunals, and in arbitrations and mediations. The Division assists government departments and agencies in navigating the procedural and substantive aspects of these proceedings and helps them efficiently and effectively resolve disputes.

The Division is also home to the Registry of Regulations. The Registry of Regulations files, consolidates and publishes Nova Scotia regulations. The Registry is responsible for the publication of the Royal Gazette Part I and Part II. The Registry reviews all draft regulations to ensure the regulations meet the required plain language standards, and to ensure that the regulations are consistent in form, style and content with current legislation and regulations.

POLICY AND INFORMATION MANAGEMENT

Policy and Information Management brings together an inter-related group of department functions dedicated to the creation, coordination, analysis, sharing, accuracy, storage, and business use of information. The division's support for Justice includes: providing department-wide policy formulation, advice, research, business planning services; F/P/T relations, legislation, managing the department's records management program (central registry); and the department's facility and accommodation requirements.

RESTORATIVE INITIATIVES UNIT

The Restorative Initiatives Unit is a new addition to the Department of Justice, with a mandate to support and advance restorative initiatives in the Province. Nova Scotia is an international leader in a restorative approach anchored by the Restorative Justice Program for youth and adults across the province and the Restorative Approach in Schools project supporting a province-wide network of educators and schools. The use of a restorative approach is growing rapidly in Nova Scotia across government and in communities. The Unit is a small and dynamic team working to facilitate integration and collaboration in the application and development of this approach in the province. The team is comprised of the Director of Restorative Initiatives, a Restorative Approach Coordinator, and a Restorative Justice Coordinator.

Nova Scotia Restorative Justice Program

Restorative justice offers a common set of principles to guide processes – it is not one fixed model or practice. Through a principle-based approach, restorative justice is able to respond to the nature of the situation and the needs of all involved.

Restorative justice is founded on a collaboration between justice stakeholders from the justice system and community. The Nova Scotia Restorative Justice Program memorandum of understanding reaffirms justice stakeholders' commitment to the integrated restorative justice program.

Cases are referred to the restorative justice regional teams located across the province. These teams include members from the community-based restorative justice agencies in the province and from the Community Corrections unit of the Department of Justice. Members of the team work collaboratively to provide restorative justice in adult cases, while the community-based restorative justice agencies are the primary providers in cases involving young people.

A Restorative Approach in Nova Scotia

For the past 20 years Nova Scotia has been championing a restorative approach in our justice system. A restorative approach brings together everyone who has a stake in the outcome of a situation – those who have been affected, those with responsibility for what happened, and those who can support a good outcome. A restorative approach considers the contexts, causes, circumstances, and impacts related to the issue or incident to determine what is required for a good outcome and to determine what needs to change at a local or system level.

This work includes applying a restorative approach in schools, as well as across government, including supporting Departments in carrying out recommendations from the Nova Scotia Home for Colored Children Restorative Inquiry.

ACCESSIBILITY DIRECTORATE

The Accessibility Directorate is responsible for implementing and administering the Nova Scotia Accessibility Act and addressing broader issues across the province related to disability. With the focus on achieving an accessible Nova Scotia by 2030, the Directorate works to break down barriers and improve equity so that persons with disabilities are supported to participate fully in their communities.

The Accessibility Directorate provides support to the Accessibility Advisory Board, which is responsible for advising and making recommendations to the Minister of Justice about accessibility. In this capacity, the Directorate coordinates the work of the advisory board and various standard development committees, with the respective Chairs being appointed by the Minister of Justice.

Through working with persons with disabilities, municipalities, businesses, post-secondary institutions, and community groups the Directorate supports the work to prioritize and develop accessibility standards. The standards will apply to six

core streams: the built environment, education, employment, goods and services, information and communication, and transportation.

In addition, the Directorate supports accessibility efforts for government as a whole that focus on improving access for persons with disabilities to government information, infrastructure, workforce, programs, and services. Using a collaborative approach, the Directorate works with staff across departments, through discussions with employees with disabilities, and with input from the citizens served to identify the path forward. This work informed a plan that sets out accessibility priorities to create an inclusive, responsive, and barrier-free workplace for Nova Scotia public servants, and that ensure services to Nova Scotians are accessible to all.

The Directorate also spearheads accessibility efforts for government as it relates to the review of its legislation, regulations, and policies.

Acts Administered

Accessibility Act

Adult Capacity and Decision-making Act

Age of Majority Act

Alternative Penalty Act

Apologies Act

Applied Science Technology Act

Apportionment Act

Arbitration Act

Architects Act

Assets Management and Disposition Act

Assignments and Preferences Act

Beneficiaries Designation Act

Bills of Lading Act

Blind Persons' Rights Act

Builders' Lien Act

Canada and United Kingdom Reciprocal Recognition and Enforcement of Judgments Act

Canadian Information Processing Society of Nova Scotia Act

Cannabis Control Act (Part II)

Cape Breton Barristers' Society Act

Child Abduction Act

Child Pornography Reporting Act

Civil Forfeiture Act

Class Proceedings Act

Collection Act
Commercial Arbitration Act
Commercial Mediation Act
Compensation for Victims of Crime Act
Conflict of Interest Act
Constables' Protection Act
Constitutional Questions Act
Contributory Negligence Act
Controverted Elections Act
Conveyancing Act
Corporations Miscellaneous Provisions Act
Correctional Services Act
Corrections Act
Costs and Fees Act
Court and Administrative Reform Act
Court for Divorce and Matrimonial Causes Act
Court Houses and Lockup Houses Act
Court Jurisdiction and Proceedings Transfer Act
Court Officials Act
Court Security Act
Creditors' Relief Act
Criminal Notoriety Act
Cross-border Policing Act
Cyber Safety Act
Defamation Act
Demise of the Crown Act
Descent of Property Act
Domestic Violence Intervention Act
Elections Act
Electronic Commerce Act
Enforcement of Canadian Judgments and Decrees Act
Enforcement of Court Orders Act
Engineering Profession Act
Escheats Act
Estate Actions Act
Estreats Act
Evidence Act
Expropriation Act

Family Court Act
Family Orders Information Release Act
Fatal Injuries Act
Fatality Investigations Act
Federal-Provincial Power Act
Flea Markets Regulation Act
Forcible Entry and Detainer Act
Freedom of Information and Protection of Privacy Act
Geoscience Profession Act
Guardianship Act
Gunshot Wounds Mandatory Reporting Act
House of Assembly Act
Human Rights Act
Inebriates' Guardianship Act
Interest on Judgments Act
Interior Designers Act
Interjurisdictional Support Orders Act
International Commercial Arbitration Act
International Interests in Mobile Aircraft Equipment Act
International Sale of Goods Act
International Trusts Act
International Wills Act
Interpretation Act
Interprovincial Subpoena Act
Intestate Succession Act
Judicature Act
Judicial Disqualifications Removal Act
Juries Act
Justices of the Peace Act
Land Actions Venue Act
Law Reform Commission Act
Legal Aid Act
Legal Profession Act
Liberty of the Subject Act
Lieutenant Governor and Great Seal Act
Limitation of Actions Act
Maintenance and Custody Act

Maintenance Enforcement Act
Matrimonial Property Act
Members and Public Employees Disclosure Act
Night Courts Act
Notaries and Commissioners Act
Occupiers' Liability Act
Ombudsman Act
Overholding Tenants Act
Partition Act
Partnership Act
Payment into Court Act
Personal Directives Act
Personal Information International Disclosure Protection Act
Pledging of Service Emblems Act
Police Act
Police and Peace Officers' Memorial Day Act
Police Services Act
Powers of Attorney Act
Presumption of Death Act
Privacy Review Officer Act
Private Investigators and Private Guards Act
Probate Act
Proceedings Against the Crown Act
Professional Planners Act
Protection of Property Act
Provincial Court Act
Public Inquiries Act
Public Prosecutions Act
Public Subscriptions Act
Public Trustee Act
Purchasing Management Association of Canada Act
Quieting Titles Act
Real Property Act
Reciprocal Enforcement of Custody Orders Act
Reciprocal Enforcement of Judgment Act
Regulations Act
Religious and Charitable Corporations Property Act

Religious Congregations and Societies Act
Remembrance Day Act
Remission of Penalties Act
Retail Business Uniform Closing Day Act
Safer Communities and Neighbourhoods Act
Sale of Goods Act
Sale of Land under Execution Act
Small Claims Court Act
Solemnization of Marriage Act
Statute of Frauds Act
Statute Revision Act
Storage Warehouse Keepers Act
Summary Proceedings Act
Supreme and Exchequer Courts of Canada
Sureties Act
Survival of Actions Act
Survivorship Act
Tenancies and Distress for Rent Act
Testators' Family Maintenance Act
Ticket of Leave Act
Time Definition Act
Tortfeasors Act
Trustee Act
Unclaimed Articles Act
Uniform Law Act
Variation of Trusts Act
Vendors and Purchasers Act
Victims' Rights and Services Act
Warehouse Receipts Act
Warehousemen's Lien Act
Wills Act
Woodsmen's Lien Act
Workers' Compensation Act (Part II only)
Youth Justice Act

Administrative update: **December 29, 2019**